

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

UNITED STATES OF AMERICA	*	
	*	
V.	*	CRIMINAL NO. 4:15-CR-151-O
	*	
BRIAN HARRIS (11)	*	

**DEFENDANT'S MOTION FOR A SENTENCE BELOW THE
U.S. SENTENCING GUIDELINES IMPRISONMENT RANGE**

Comes now the Defendant, BRIAN HARRIS, by and through his counsel, and files this Defendant's Motion for a Sentence Below the U.S. Sentencing Guidelines Imprisonment Range, and shows the Court the following:

I.

The Presentence Report (PSR) calculates Mr. Harris' Guidelines imprisonment range as 151 to 188 months. ¹ As stated in, and for the reasons stated in, Mr. Harris' Sentencing Memorandum, which is incorporated by reference herein, the Defense moves for a sentence below the minimum Guidelines imprisonment range through a downward variance.

The Defense further submits that such a sentence would be fair, just, reasonable, and appropriate in this case, and that a sentence within or above the Guidelines imprisonment range would be unreasonable. Therefore, the Defense

¹ The Guidelines imprisonment range may be lower if the Court grants Mr. Harris a reduction for "Mitigating Role," per U.S.S.G. § 3B1.2. (See Objection #13 in Defendant's Amended Objections to PSR, and Defendant's Sentencing Memorandum.)

requests the Court to impose a sentence which is significantly below the lower end of the Guidelines imprisonment range.

Respectfully submitted,

/s/ Don Davidson

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BRIAN HARRIS

CERTIFICATE OF CONFERENCE

On October 13, 2015, I contacted Mr. Shawn Smith, Assistant United States Attorney, counsel for the government, who stated that the government opposes this motion.

/s/ Don Davidson

DON DAVIDSON
Attorney for the Defendant

CERTIFICATE OF SERVICE

As Attorney for the Defendant, BRIAN HARRIS, I certify that on October 14, 2015, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court for the Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system sent a Notice of Electronic Filing to Mr. Shawn Smith, Assistant U.S. Attorney, who has consented in writing to accept the Notice as service of this document by electronic means.

/s/ Don Davidson
DON DAVIDSON
Attorney for BRIAN HARRIS
Attorney for the Defendant